

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 7, 8, 10, 11, and 12 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 2-8 and 10-12 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) the amendment of claims 10, 11, and 12 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised;

(b) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised; and/or

(c) the references applied to the claims are newly cited in the final Office Action, and Applicants should be provided the opportunity to present patentability arguments and amendments in view thereof.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §102(e)

In the Office Action at page 2, numbered item 3, claim 10 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No.6,654,457 to Beddus, et al. This rejection is traversed and reconsideration is requested.

Amended independent claim 10 is directed to a user-status setting method in which a user terminal can send, receive, and display a user status and a character message on at least one virtual space shared on a network. In relevant part, amended independent claim 10 recites “storing a plurality of user-status-selection tables including a list of configurable user statuses registered for each virtual space in which a user participates,” “reading out the user-status-selection table of each virtual space in which a user terminal participates when the user terminal has participated in each virtual space,” “displaying on the user terminal the list of the selectable user statuses for each virtual space in which the user has participated,” and “setting a user status which was selected from the list of selectable user statuses for each virtual space in which the user has participated.” Independent claim 10 has thus been amended to clarify that a user who is participating in a plurality of virtual spaces can set a different status for each virtual space. Independent claims 11 and 12 have been similarly amended to clarify that a status can be set for each virtual space participated in by the same user. Support for these clarifying amendments can be found in the originally filed Specification, at least in FIGS. 4, 9, and 10.

Beddus, et al., in contrast, teaches or suggests only indicating status information, such as queue length or unavailability, by one party, such as a customer service representative, to another party. Applicants respectfully submit that Beddus, et al. fails to teach or suggest that the same user may set a status for each of the virtual spaces in which the user participates. This allows a user to more effectively convey their status, beyond a mere indication of availability, to all virtual spaces in which the user participates simultaneously. Further, a user may indicate different statuses to different virtual spaces simultaneously. For example, during the workday, the user may be available to work-related virtual spaces, but personal virtual spaces may reflect status information such as “at work.” In the evening, the user could set a status message such as “out of office” for work-related virtual spaces and “available” for personal virtual spaces. Thus, for at least these reasons, Applicants respectfully submit that claim 10 and dependent claims 2-8 depending either directly or indirectly therefrom patentably

distinguish over Beddus, et al. Accordingly, Applicants respectfully submit that claims 10 and 2-8 are in condition for allowance.

In the Office Action at page 3, numbered item 4, claims 11 and 12 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No.6,654,457 to Beddus, et al. This rejection is traversed and reconsideration is requested.

Claims 11 and 12 have been amended to include similar features as claim 10. Accordingly, Applicants respectfully submit that independent claims 11 and 12 and dependent claim 13 patentably distinguish over Beddus, et al. for at least those reasons set forth above. Thus, Applicants submit that claims 11-13 are also in condition for allowance.

REJECTION UNDER 35 U.S.C. §103(a)

In the Office Action at pages 3-5, claims 2-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Beddus, et al. in view of U.S. Patent No. 6,377,993 to Brandt, et al. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claims 2-8 and 13 depend, either directly or indirectly, from amended independent claims 10-12. Thus, for at least the reasons set forth above, Applicants respectfully submit that claims 2-8 and 13 patentably distinguish over the prior art and are in condition for allowance.

Regarding claim 2, the Examiner has acknowledged that Beddus, et al. does not detail the user status and a user attribute defining a configurable user status are correlatively registered in the status table. Further, Applicants respectfully submit that both Brandt and Baker fail to teach or suggest that attributes are assigned to a user. Rather, both Brandt and Baker teach that attributes are assigned to a call or an event. Thus, for this reason and those set forth above, Applicants respectfully submit that claim 2 patentably distinguishes over the prior art and is in condition for allowance.

Regarding claim 4, Applicants respectfully disagree with the Examiner's position that Beddus, et al., col. 8, lines 30-65, discloses the acceptance of status setting by a user. Rather, the cited portion of Beddus, et al. teaches that a user of a user terminal can select one of a list of displayed agents or groups of agents. Applicants respectfully submit that Beddus, et al., in

combination with Brandt, fails to teach or suggest that status may be set by a user. Accordingly, for at least this reason and those set forth above, Applicants respectfully submit that claim 4 patentably distinguishes over the prior art and is in condition for allowance.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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